

Commissioner for Patents  
Response to March 31, 2004 Office Action  
Filed July 30, 2004 via facsimile transmission  
Page 4 of 13

Serial: 09/779358  
Art Unit: 2154  
Examiner: Patel  
Docket AUS9 2000 0516 US1

### Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

### Listing of Claims:

1 (original). A data processing network, comprising:

first and second servers each connected to a central switch, wherein each server includes a network interface card (NIC) comprising a processor and a buffer;

wherein the second server NIC is configured to store management information generated by the second server in the second server buffer;

wherein the first server NIC is configured to send a low level polling request to the second server NIC; and

wherein the second server NIC is configured to respond to the polling request with a low level transfer of the buffered information to the first server NIC.

2 (original). The network of claim 1, wherein the first server comprises a dedicated management server and further wherein the second server comprises a server appliance configured to receive processing requests from an external network.

3 (currently amended). The network of claim ~~{1}~~ 2, ~~{further comprising a plurality of additional server appliances, each attached to the central switch, wherein the management server is configured to manage each of the server appliances}~~ wherein the second server buffer is dedicated for the storage of management information.

4 (original). The network of claim 3, wherein the first server NIC is configured to broadcast the polling request to each of the server appliances on the network.

5 (currently amended). The network of claim 1, wherein the ~~{central switch comprises an Ethernet switch}~~ low level polling request comprises a request having a single header wherein the single header is a MAC header.

6 (original). The network of claim 1, wherein the first server NIC is configured to send the polling request responsive to the expiration of a timer.

7 (original). The network of claim 1, wherein the first server NIC is configured to buffer the transferred information in the first server buffer.

Commissioner for Patents  
Response to March 31, 2004 Office Action  
Filed July 30, 2004 via facsimile transmission  
Page 5 of 13

Serial: 09/779358  
Art Unit: 2154  
Examiner: Patel  
Docket AUS9 2000 0516 US1

8 (currently amended). A method of managing a data processing network comprising a first server and a second server each connected to a switch, the method comprising:

buffering management information generated by the second server;

periodically ~~issuing a polling request at~~ prompting the second server via a packet formatted at a low level of the network communication protocol ~~from the first server to the second server~~ wherein the packet includes a single header, and wherein the single header is a media access control (MAC) header;

responsive to each polling request, sending the buffered information from the second server to the first server ~~with~~ at the low level of the communication protocol; and

buffering the transferred information in a buffer of the first server.

9 (original). The method of claim 8, wherein buffering the management information includes buffering the information in a buffer of a network interface card of the second server.

10 (currently amended). The method of claim 8, wherein ~~issuing the polling request~~ prompting the second server comprises issuing ~~the~~ a polling request from a NIC of the first server to a NIC of the second server.

11 (currently amended). The method of claim ~~8~~ 10, wherein issuing the polling request comprises issuing the request at the data link level of the network communication protocol.

12 (currently amended). The method of claim ~~8~~ 10, further comprising initiating a timer and wherein issuing the polling request is responsive to expiration of the timer.

13 (currently amended). The method of claim ~~8~~ 10, wherein the second server comprises a server appliance and the network comprises a plurality of additional server appliances and further wherein issuing the polling request comprises broadcasting the polling request to each of the server appliances.

14 (original). The method of claim 13, further comprising, responsive to determining that each of the server appliances has responded to the polling request, uploading the transferred information from a NIC buffer of the first server to a host memory of the first server and clearing the NIC buffer.

15 (currently amended). A network interface card (NIC) suitable for use in a first server of a data processing network, comprising:

a NIC processor;

a NIC buffer accessible to the processor;

Commissioner for Patents  
Response to March 31, 2004 Office Action  
Filed July 30, 2004 via facsimile transmission  
Page 6 of 13

Serial: 09/779358  
Art Unit: 2154  
Examiner: Patel  
Docket AUS9 2000 0516 US1

wherein the NIC processor is enabled to issue a low level polling request to a NIC of a second server that is locally connected to the first server, the low level polling request having a single header field, wherein the single header field is a MAC header; and

wherein the NIC processor is further configured to buffer management information sent from the second server NIC responsive to the polling request.

16 (original). The NIC of claim 15, further comprising a timer and wherein the NIC processor is configured to initiate a polling request responsive to a state of the timer.

17 (original). The NIC of claim 15, wherein the low level polling request is issued at a data link level of the network's communication protocol.

18 (original). The NIC of claim 15, wherein the second server comprises a server appliance enabled to receive processing request from an external network, and further wherein the data processing network includes a plurality of additional server appliances each locally connected to the first server, and wherein the NIC processor is configured to broadcast the polling request to each of the server appliances.

19 (currently amended). The NIC of claim 18, wherein the NIC processor is further configured to determine that each of the server appliances has responded to the polling request and to transfer the ~~{transferred}~~ management information to a host processor of the first server.

20 (original). The NIC of claim 15, wherein the polling request includes a header consisting of a data link layer header including a media access control identifier of the second server.